



City of Carmel

Carmel Advisory Board of Zoning Appeals Hearing Officer Tuesday, February 1, 2005

The meeting was held at 6:45 PM in the Caucus Room of City Hall, Carmel, Indiana on Tuesday, February 1, 2005. The Hearing Officer was Madeleine Torres.

Department of Community Services Staff in attendance was Angie Conn and Jon Dobosiewicz; John Molitor, Legal Counsel, was also present.

D. Public Hearing:

1d. Penn Mark Plaza, Bldg 3

Petitioner seeks the following development standards variance approvals:

Docket No. 05010024 V Chapter 27.05.02-10.b number of signs

Docket No. 05010025 V Chapter 27.05.02-10.b 2 signs oriented west

The site is located at 111455 N Meridian St, and the site is zoned B-6/Business within the US 31 Overlay Zone.

Filed by Zeff Weiss of Ice Miller for Three Penn Mark Plaza, LLC.

Present for the Petitioner: Zeff Weiss, Greg Small, the principal for Three Penn Mark Plaza, and Mike Williams, Sign Style. They were seeking three signs, as opposed to the permitted two signs. They wanted two signs oriented west instead of one oriented to each public right-of-way. From the packet, Mr. Weiss showed the orientation of the building and the location of the signs. One approved and existing 75-foot sign was oriented toward the west. They were proposing a 50-foot sign on the corner of the building with a southern exposure and a 65-foot sign that would be oriented toward Pennsylvania. Pictures of the signs were shown.

Members of the public were invited to speak in favor or opposition to the petition: no one appeared.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. They are allowed two signs and are seeking an additional third sign. The Department recommended positive consideration.

Mrs. Torres asked about the square footage and if this would be the only occupant of the building.

*Note: Plan Commission would look at design later that evening at the Subdivision Committee meeting.

Mr. Weiss stated that if they seek additional occupants it would be 190 square feet. They were committed to Abrams Eye Care and Turkle and Associates Plastic Surgery Group. They were saving the other sign for the top floor which is 1680 square feet.

Mr. Dobosiewicz stated that a sign on the building could be 115 square feet. One sign would be 65 on the east elevation and the other 50-foot to come up to the 115. The request is to allow an aggregate of 115 square feet in two signs, 40 being used on the west instead of the east façade.

Mrs. Torres **APPROVED Docket Nos. 05010024 V and 05010025 V, Penn Mark Plaza, Bldg 3**

E. Old Business.

1e. Pryor Riding Arena

Petitioner seeks special use and development standards variance approvals for an indoor riding arena and horse stables.

Docket No. 04120004 SU Chapter 5.02 Special Uses

Docket No. 04120005 V Chapter 25.01.01.A.4 accessory building built before principal

Docket No. 04120006 V Chapter 25.01.01.B.8 maximum gross floor area

Docket No. 04120007 V Chapter 25.01.01.B.1 height greater than 18-ft

The site is located at 12899 West Road and is zoned S-1/Residence-Estate.

Filed by Nathan Althouse of Miller Surveying for Arlet & Claudia Pryor.

Present for the Petitioner: Nathan Althouse and Don Miller, Miller Surveying, representing Mr. & Mrs. Pryor. This had been tabled from the regular January 24, 2005 BZA meeting. They would be withdrawing or tabling Docket No. 04120005 V because they had a purchase agreement to buy the adjoining property with a house and would be extending the driveway.

Mr. Dobosiewicz stated that the Department's concern was the position of the structure in relation to the adjoining property. If the purchase does not come through, the Department would need to re-evaluate the position of the structure. They would not be able to get a building permit for the accessory building until the close on the property for the principal structure.

Mrs. Pryor stated that they were supposed to close in two weeks.

Discussion followed on the location of the structure and the purchase of the adjoining property.

Mr. Dobosiewicz stated that the Department's recommendation was favorable approval of the Special Use and the two Variances on maximum gross floor area and height and to table the request for the accessory building before the principal. If the Pryor's close on the adjoining property then they can ask for the Variance to be dropped. If for some reason they do not close, then they can ask for it to be placed back on the agenda. They would not be able to get the building permit until they close on the adjacent property.

Mrs. Torres **APPROVED Docket Nos. 04120004 SU, 04120006 V and 04120007 V, Pryor Riding Arena, subject** to not pulling a Building Permit until they close on the adjacent property. **Docket No. 04120005 V was Tabled.**

F. New Business.

There was no New Business.

G. Adjourn.

The meeting was adjourned at 6:58 PM.

Madeleine Torres, Hearing Officer

Connie Tingley, Secretary